

**SUPREME COURT MINUTES
MONDAY, JULY 30, 2012
SAN FRANCISCO, CALIFORNIA**

S030402**PEOPLE v. TULLY
(RICHARD CHRISTOPHER)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Baxter, J.

-- joined by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, and Liu, JJ.

Concurring Opinion by Kennard, J.

Concurring Opinion by Liu, J.

S180612 H034154 Sixth Appellate District**PEOPLE v. BARRETT
(CHRISTINE)**

Opinion filed: Judgment affirmed in full

The judgment of the Court of Appeal is affirmed. To the extent the analyses in *People v. Alvas* (1990) 221 Cal.App.3d 1459, and *People v. Bailie* (2006) 44 Cal.App.4th 841, are inconsistent with the views expressed herein, these decisions are disapproved.

Majority Opinion by Baxter, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Chin, and Corrigan, JJ.

Concurring and Dissenting Opinion by Werdegarr, J.

Concurring and Dissenting Opinion by Liu, J.

S192531 B222214 Second Appellate District, Div. 8**PEOPLE v. VILLATORO
(JUAN JOSE)**

Opinion filed: Judgment affirmed in full

Based on the foregoing, we affirm the Court of Appeal's judgment.

Majority Opinion by Chin, J.

-- joined by Cantil-Sakauye, C. J., Kennard, and Baxter, JJ.

Concurring and Dissenting Opinion by Corrigan, J.

-- joined by Werdegarr, J.

Concurring and Dissenting Opinion by Liu, J.

S075727**PEOPLE v. JOHNSON
(CEDRIC JEROME)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by March 28, 2013, counsel's request for an extension of time in which to file that brief is granted to October 1, 2012. After that date, only three further extensions totaling about 180 additional days are contemplated.

S092240**PEOPLE v. BOYCE (KEVIN
DEWAYN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Douglas Ward's representation that he anticipates filing the appellant's reply brief by December 1, 2012, counsel's request for an extension of time in which to file that brief is granted to October 1, 2012. After that date, only one further extension totaling about 60 additional days is contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S103358**PEOPLE v. BARRERA
(MARCOS ESQUIVEL)**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the appellant's opening brief is granted to September 28, 2012. The court anticipates that after that date, no further extensions will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S105876**PEOPLE v. SUAREZ
(ARTURO JUAREZ)**

Extension of time granted

Good cause appearing, and based upon counsel Lisa R. Short's representation that she anticipates filing the appellant's opening brief by June 15, 2013, counsel's request for an extension of time in which to file that brief is granted to October 2, 2012. After that date, only five further extensions totaling about 260 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S112146**PEOPLE v. STAYNER (CARY ANTHONY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 2, 2012.

S124131**PEOPLE v. BARRETT (JOSEPH ANTHONY)**

Extension of time granted

Good cause appearing, and based upon counsel Lisa M. Romo's representation that she anticipates filing the appellant's opening brief by December 1, 2012, counsel's request for an extension of time in which to file that brief is granted to October 1, 2012. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S147335**PEOPLE v. MITCHELL (LOUIS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 1, 2012.

S196958**HOWARD (DEMETRIUS CHARLES) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Christine Levingston Bergman's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by February 1, 2013, counsel's request for an extension of time in which to file that document is granted to September 28, 2012. After that date, only two further extensions totaling about 125 additional days are contemplated.

S197586**WHEELER (LEROY) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Xiomara Costello's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by January 7, 2013, counsel's request for an extension of time in which to file that document is granted to October 1, 2012. After that date, only two further extensions totaling about 105 additional days are contemplated.

S199119 B228027 Second Appellate District, Div. 1 **SANCHEZ (GIL) v.
VALENCIA HOLDING
COMPANY LLC**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to August 29, 2012.

S199830 E051465 Fourth Appellate District, Div. 2 **HARRISON (KELVIN) v.
BOARD OF PAROLE
HEARINGS (PEOPLE)**

Extension of time granted

On application of the real party in interest and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to August 14, 2012.

S200366 **BROWN (STEVEN ALLEN)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Kathleen A. McKenna's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by September 24, 2012, counsel's request for an extension of time in which to file that document is granted to September 24, 2012. After that date, no further extension is contemplated.

S200612 F061562 Fifth Appellate District **PEOPLE v. NUCKLES (JANE)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to August 29, 2012.

S200872 B231245 Second Appellate District, Div. 2 **LONG BEACH POLICE
OFFICERS ASSOCIATION v.
CITY OF LONG BEACH (LOS
ANGELES TIMES
COMMUNICATIONS LLC)**

Extension of time granted

On application of Long Beach Police Officers Association and Doe Officers 1-150 and good cause appearing, it is ordered that the time to serve and file the reply brief is extended to August 14, 2012.

S200923 A125557/A126827 First Appellate District, Div. 1 **DURAN (SAM) v. U.S. BANK NATIONAL ASSOCIATION**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to August 14, 2012.

S201322 **JACKSON (NOEL) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel James S. Thomson's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 17, 2012, counsel's request for an extension of time in which to file that document is granted to September 17, 2012. After that date, no further extension is contemplated.

S204204 **HUTCHINGS (WILLIAMS J.) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Fourth Appellate District, Division One

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

B240081 Second Appellate District **PEOPLE v. G. (D.)**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District is transferred to the Court of Appeal, Fourth Appellate District, Division Two.

B240352 Second Appellate District **HAYCOCK (DON H.) v. EPSTEIN (NORMAN)**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District is transferred to the Court of Appeal, Fourth Appellate District.